

APPENDIX B

APPENDIX
STATEMENT OF WORK FOR THE
FLORIDA PETROLEUM REPROCESSORS SUPERFUND SITE
BROWARD COUNTY, FLORIDA

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**STATEMENT OF WORK FOR THE
REMEDIAL DESIGN AND REMEDIAL ACTION
AT THE FLORIDA PETROLEUM REPROCESSORS SITE
DAVIE, FLORIDA**

I. INTRODUCTION

This Statement of Work (SOW) outlines the work to be performed by Settling Defendants, which is intended to be the first and final Operable Unit for the remedy at the Florida Petroleum Reprocessors Superfund Site in Davie, Broward County, Florida ("the Site"). The work outlined is intended to fully implement the remedy as described in the Record of Decision (ROD) for the Site, dated March 1, 2001, and to achieve the Performance Standards set forth in the ROD, Explanation of Significant Differences (ESD), Consent Decree, and this SOW. The requirements of this SOW will be further detailed in work plans and other documents to be submitted by the Settling Defendants for approval as set forth in this SOW. It is not the intent of this document to provide task specific engineering or geological guidance. The definitions set forth in Section IV of the Consent Decree shall also apply to this SOW unless expressly provided otherwise herein.

Settling Defendants are responsible for performing the Work to implement the selected remedy. EPA shall conduct oversight of the Settling Defendants' activities throughout the performance of the Work. The Settling Defendants shall assist EPA in conducting oversight activities.

EPA review or approval of a task or deliverable shall not be construed as a guarantee as to the adequacy of such task or deliverable. If EPA modifies a deliverable pursuant to Section XII of the Consent Decree, such deliverable as modified shall be deemed approved by EPA for purposes of this SOW. A summary of the major deliverables that Settling Defendants shall submit for the Work is attached.

II. OVERVIEW OF THE REMEDY

THE OBJECTIVES OF THIS REMEDIAL ACTION ARE TO:

- Prevent the further degradation of the Biscayne aquifer caused by the release of contamination from the Source Area;
- Prevent or minimize the migration of groundwater with contamination exceeding maximum

contaminant levels (MCLs), or other appropriate health-based levels, beyond the current plume boundaries;

- Prevent or minimize impacts to human health and the environment due to exposure to site-related contaminated soil and groundwater;

To the extent practicable, restore the groundwater in the Biscayne aquifer beneath the site to its most beneficial use;

- Prevent the future contamination of drinking water supplies, and provided for the continued use of drinking water supplies by controlling the migration of contaminated groundwater from the site.

III. REMEDY

The remedy, as outlined in the ROD and modified by the ESD, includes long-term groundwater monitoring for monitored natural attenuation and more rigorous groundwater monitoring for determining the need for the Wellfield Protection component of the ROD. Since groundwater monitoring may be the only action required for the implementation of the ROD, the SOW requirements of treatability studies, remedial design, remedial action, and operation and maintenance are redundant. Instead, the only activity that will be required will be the preparation of a Remedial Design Work Plan, as described in Task II – Remedial Design, Part A – Remedial Design Planning (which includes RD Work Plan, Sampling and Analysis Plan, and Health and Safety Plan) and which will also include elements of the Performance Standards Verification Plan, as described in Task V – Performance Monitoring. If at any time during the implementation of the ROD, the Peele-Dixie contingency or an alternate FPR-Facility groundwater remedy needs to be implemented, then the full planning and deliverables of the SOW may be required.

A. Components

The major components of the remedy are described in Section 11, Selected Remedy section of the attached ROD.

B. Treatment

The treatment technologies for the remedy are described in Section 11.2, Description of the Selected Remedy section of the attached ROD.

C. Performance Standards

Settling Defendants shall meet all performance related standards, as defined in the Consent Decree including the standards set forth in Section 11.2 of the attached ROD.

Settling Defendants shall perform groundwater treatment and groundwater monitoring until the Settling Defendants have demonstrated compliance with the respective Performance Standards, in accordance with the Performance Standards Verification Plan.

D. Compliance Testing

Settling Defendants shall perform compliance testing to ensure that all Performance Standards are met. The groundwater shall be tested in accordance with the Performance Standard Verification Plan developed pursuant to Task V of this SOW. After demonstration of compliance with Performance Standards, Settling Defendants shall monitor the Site related groundwater for a minimum of two years. If monitoring indicates that the Performance Standards set forth in Section 11.2 of the ROD are not being achieved at any time during this two year period, treatment of the groundwater will recommence until the Performance Standards are once again achieved. If testing of groundwater indicates the Performance Standards still have not been achieved, EPA may reevaluate the effectiveness of the groundwater remedy.

E. Treatability Studies

Since the nature of the remedy relies on standard technologies such as mechanical groundwater pumping and air stripping, formal treatability studies are not anticipated. That is not to say, however, that additional information will not need to be gathered during the RD regarding site-specific aquifer properties and further delineation of source areas. The requirements associated with these design studies will be discussed in Task II of the SOW.

Should unforeseen circumstances require the evaluation of certain treatment technologies, these studies will be performed in accordance with Task II of this SOW.

IV. PLANNING AND DELIVERABLES

The specific scope of this work shall be documented by Settling Defendants in a Remedial Design (RD) Work Plan and a Remedial Action (RA) Work Plan. Plans, specifications, submittals, and other deliverables shall be subject to EPA review and approval in accordance with Section XII of the Consent Decree.

Settling Defendants shall submit a technical memorandum documenting any need for additional data along with the proposed Data Quality Objectives (DQOs) whenever such requirements are identified. Settling Defendants are responsible for fulfilling additional data and analysis needs identified by EPA during the RD/RA process consistent with the general scope and objectives of the Consent Decree, including this SOW.

Settling Defendants shall perform the following tasks:

TASK I - PROJECT PLANNING

A. Site Background

Settling Defendants shall gather and evaluate the existing information regarding the Site and shall conduct a visit to the Site to assist in planning the RD/RA as follows:

1. Collect and Evaluate Existing Data and Document the Need for Additional Data

Before planning RD/RA activities, all existing Site data shall be thoroughly compiled and reviewed by Settling Defendants. Specifically, this shall include the ROD, RI/FS, and other available data related to the Site. This information shall be utilized in determining additional data needed for RD/RA implementation. Final decisions on the necessary data and DQOs shall be made by EPA.

2. Conduct Site Visit

Settling Defendants shall conduct a visit to the Site with the EPA Remedial Project Manager (RPM) during the project planning phase to assist in developing a conceptual understanding of the RD/RA requirements for the Site. Information gathered during this visit shall be utilized to plan the project and to determine the extent of the additional data necessary to implement the RD/RA.

B. Project Planning

Once the Settling Defendants have collected and evaluated existing data and conducted a visit to the Site, the specific project scope shall be planned. Settling Defendants shall meet with EPA at the completion of this evaluation regarding the following activities and before proceeding with Task II.

TASK II - REMEDIAL DESIGN

The Remedial Design shall provide the technical details for implementation of the Remedial Action in accordance with currently accepted environmental protection technologies and standard professional engineering and construction practices. The design shall include clear and comprehensive design. This design may be in the form of traditional drawings and specifications or in the form of a set of criteria necessary to achieve a given set of remedial goals (i.e., performance based design). Given that some

components of the RD may be performance based, and comparatively more straightforward than others, it may be appropriate to proceed from the preliminary to the prefinal design, omitting the intermediate (i.e., 60 % design). The nature of the design, and design approach itself, shall be set forth in the RD Work Plan. Among other things, the initial RD Work Plan shall describe how the Settling Defendants plan to manage the RD for the entire project. As described above, it is anticipated that the RD may be divided into separate components according to media, implementability, and/or additional data requirements. Once the overall RD project management plan is approved by EPA, the Settling Defendants shall amend the RD Work Plan, as appropriate, and manage the RD/RA according to separate components identified.

A. Remedial Design Planning

Within 30 days after EPA's issuance of an authorization to proceed pursuant to Paragraph 10 of the Consent Decree, Settling Defendants shall submit a RD Work Plan, a Sampling and Analysis Plan, and a Health and Safety Plan to EPA. The RD Work Plan and Sampling and Analysis Plan must be reviewed and approved by EPA. The Health and Safety Plan must be reviewed and commented on by EPA prior to the initiation of field activities. Upon approval of the RD Work Plan, Settling Defendants shall implement the RD Work Plan in accordance with the design management schedule contained therein. Plans, specifications, submittal, and other deliverables shall be subject to EPA review and approval in accordance with Section XII of the Consent Decree. Review and/or approval of design submittal only allows Settling Defendants to proceed to the next step of the design process. It does not imply acceptance of later design submittals that have not been reviewed, nor that the remedy, when constructed, will meet Performance Standards.

1. RD Work Plan

Settling Defendants shall submit a Remedial Design (RD) Work Plan to EPA for review and approval. The Work Plan shall be developed in conjunction with the Sampling and Analysis Plan, and the Health and Safety Plan, although each plan may be delivered under separate cover. The Work Plan shall include a comprehensive description of the additional data collection and evaluation activities to be performed, if any, and the plans and specifications to be prepared. A comprehensive design management schedule for completion of each major activity and submission of each deliverable shall also be included.

Specifically, the RD Work Plan shall present the following:

- a. A statement of the problem(s) and potential problem(s) posed by the Site and the objectives of the RD/RA.

- b. A background summary setting forth the following:
 - 1) A brief description of the Site including the geographic location and the physiographic, hydrologic, geologic, demographic, ecological, and natural resource features;
 - 2) A brief synopsis of the history of the Site including a summary of past disposal practices and a description of previous responses that have been conducted by local, State, Federal, or private parties;
 - 3) A summary of the existing data including physical and chemical characteristics of the contaminants identified and their distribution among the environmental media at the Site.
- c. A list and detailed description of the tasks to be performed, information needed for each task, information to be produced during and at the conclusion of each task, and a description of the work products that shall be submitted to EPA. This description shall include the deliverables set forth in the remainder of Task II.
- d. A schedule with specific dates for completion of each required activity and submission of each deliverable required by the Consent Decree and this SOW. This schedule shall also include information regarding timing, initiation and completion of all critical path milestones for each activity and/or deliverable.
- e. A project management plan, including a data management plan, and provision for monthly reports to EPA, and meetings and presentations to EPA at the conclusion of each major phase of the RD/RA. The data management plan shall address the requirements for project management systems, including tracking, sorting, and retrieving the data along with an identification of the software to be used, minimum data requirements, data format and backup data management. The plan shall address both data management and document control for all activities conducted during the RD/RA.
- f. A description of the community relations support activities to be conducted during the RD. At EPA's request, Settling Defendant will assist EPA in preparing and disseminating information to the public regarding the RD work to be performed.

2. Sampling and Analysis Plan

Settling Defendants shall prepare a Sampling and Analysis Plan (SAP) to ensure that sample collection and analytical activities are conducted in accordance with technically acceptable protocols and that the data generated will meet the DQOs established. The SAP shall include a Field Sampling and Analysis Plan (FSAP) and a Quality Assurance Project Plan (QAPP).

The FSAP shall define in detail the sampling and data-gathering methods that shall be used on the project. It shall include sampling objectives, sample location (horizontal and vertical) and frequency, sampling equipment and procedures, and sample handling and analysis. The Field Sampling and Analysis Plan shall be written so that a field sampling team unfamiliar with the Site would be able to gather the samples and field information required. The QAPP shall describe the project objectives and organization, functional activities, and quality assurance and quality control (QA/QC) protocols that shall be used to achieve the desired DQOs. The DQOs shall, at a minimum, reflect use of analytical methods for obtaining data of sufficient quality to meet National Contingency Plan requirements as identified at 300.435 (b). In addition, the QAPP shall address personnel qualifications, sampling procedures, sample custody, analytical procedures, and data reduction, validation, and reporting. These procedures must be consistent with the Region IV Environmental Compliance Branch Standard Operating Procedures and Quality Assurance Manual and the guidance specified in Section IX of the Consent Decree.

Settling Defendants shall demonstrate in advance and to EPA's satisfaction that each laboratory it may use is qualified to conduct the proposed work and meets the requirements specified in Section IX of the Consent Decree. EPA may require that Settling Defendants submit detailed information to demonstrate that the laboratory is qualified to conduct the work, including information on personnel qualifications, equipment and material specification, and laboratory analyses of performance samples (blank and/or spike samples). In addition, EPA may require submittal of data packages equivalent to those generated by the EPA Contract Laboratory Program (CLP).

3. Health and Safety Plan

A Health and Safety Plan shall be prepared in conformance with Settling Defendant's health and safety program, and in compliance with OSHA regulations and protocols. The Health and Safety Plan shall include a health and safety risk analysis, a description of monitoring and personal protective equipment, medical monitoring, and provisions for site control. EPA will not approve Settling Defendant's Health and Safety Plan, but rather EPA

will review it to ensure that all necessary elements are included, and that the plan provides for the protection of human health and the environment.

4. Treatability Study Work Plan (If Applicable)

Settling Defendants shall prepare a Treatability Study Work Plan for EPA review and approval. The purpose of the Treatability Study is to determine if the particular technology or vendor of this technology is capable of meeting the Performance Standards. The Treatability Study Work Plan shall describe the technology to be tested, and test objectives, experimental procedures, treatability conditions to be tested, measurements of performance, analytical methods, data management and analysis, health and safety, and residual waste management. The DQOs for the treatability study shall be documented as well. The Treatability Study Work Plan shall also describe pilot plant installation and start-up, pilot plant operation and maintenance procedures, and operating conditions to be tested. If testing is to be performed off-site, permitting requirements shall be addressed. A schedule for performing the treatability study shall be included with specific dates for the tasks, including, but not limited to, the procurement of contractors and the completion of sample collection, performance, sample analysis, and report preparation. The Work Plan shall describe in detail the treatment process and how the proposed vendor or technology will meet the Performance Standards for the Site. Review and approval by EPA shall mean only that EPA considers the proposed technology, vendor, and study approach appropriate for the remedy selected for the Site. The Treatability Study Work Plan shall also address how Settling Defendants propose to meet all discharge requirements for any and all treated material, air, water and expected effluents. Additionally, the Work Plan shall also explain the proposed final treatment and disposal of all material generated by the proposed treatment system. Any and all permitting requirements shall also be addressed.

5. Treatability Study Sampling and Analysis Plan (If Applicable)

If EPA determines that the Remedial Design SAP is not adequate for defining the activities to be performed during the Treatability Study, a separate Treatability Study SAP shall be prepared by Settling Defendants for EPA review and approval. It shall be designed to monitor pilot plant performance.

6. Treatability Study Health and Safety Plan (If Applicable)

If EPA determines that the Remedial Design Health and Safety Plan is not adequate for defining the activities to be performed during the Treatability

Study, a separate Treatability Study Health and Safety Plan shall be developed by Settling Defendants. EPA will not approve Settling Defendant's Health and Safety Plan, but rather EPA will review it to ensure that all necessary elements are included, and that the plan provides for the protection of human health and the environment.

B. Preliminary Design

Preliminary Design shall begin with initial design and shall end with the completion of approximately 30 percent of the design effort. (Except in the case where the Intermediate Design is omitted, the Preliminary Design may represent more than the 30% design effort) At this stage, Settling Defendants shall field verify, as necessary, the existing conditions of the Site. The technical requirements of the Remedial Action shall be addressed and outlined so that they may be reviewed to determine if the final design will provide an effective remedy. Supporting data and documentation shall be provided with the design documents defining the functional aspects of the project. EPA approval of the Preliminary Design is required before proceeding with further design work, unless specifically authorized by EPA. In accordance with the design management schedule established in the approved Remedial Design Work Plan, Settling Defendants shall submit to EPA the Preliminary Design submittal which shall consist of the following:

1. Results of Data Acquisition Activities

Data gathered during the project planning phase shall be compiled, summarized, and submitted along with an analysis of the impact of the results on design activities. In addition, surveys conducted to establish topography, rights-of-way, easements, and utility lines shall be documented. Utility requirements and acquisition of access, through purchases or easements, that are necessary to implement the RA shall also be discussed.

2. Design Criteria Report

The concepts supporting the technical aspects of the design shall be defined in detail and presented in this report. Specifically, the Design Criteria Report shall include the preliminary design assumptions and parameters, including, but not limited to the following:

- a. Waste characterization
- b. Pretreatment requirements
- c. Volume of each media requiring treatment
- d. Treatment schemes (including all media and by-products)

- e. Input/output rates
- f. Influent and effluent qualities
- g. Materials and equipment
- h. Performance Standards
- i. Long-term monitoring requirements

3. Preliminary Plans and Specifications

Settling Defendants shall submit an outline of the required drawings, including preliminary sketches and layouts, describing conceptual aspects of the design, unit processes, etc. In addition, an outline of the required specifications, including Performance Standards, shall be submitted. Construction drawings shall reflect organization and clarity, and the scope of the technical specifications shall be outlined in a manner reflecting the final specifications.

4. Plan for Satisfying Permitting Requirements

All activities must be performed in accordance with the requirements of all applicable federal and state laws and regulations. Any off-site disposal shall be in compliance with the policies stated in the Procedure for Planning and Implementing Off-site Response Actions (Federal Register, Volume 50, Number 214, November, 1985, pages 45933 - 45937) and Federal Register, Volume 55, Number 46, March 8, 1990, page 8840, and the National Contingency Plan, Section 300.440. The plan shall identify the off-site disposal/discharge permits that are required, the time required to process the permit applications, and a schedule for submittal of the permit applications.

5. Treatability Study Final Report (If Applicable)

Following completion of the study, Settling Defendants shall submit a report on the performance of the technology to EPA for review and approval. EPA will evaluate the results of the treatability study for completeness and appropriateness based on site conditions. The study results shall indicate clearly the performance of the technology or vendor compared with the Performance Standards established for the Site. The report shall evaluate the treatment technology's effectiveness, implementability, cost, and actual results as compared with predicted results. The report shall also evaluate full-scale application of the technology, including a sensitivity analysis identifying the key parameters affecting full-scale operation. The study results shall be submitted to EPA immediately upon completion of the study.

Should the results indicate that the proposed technology will meet the Performance Standards, EPA will instruct Settling Defendants to include the

Treatability Study Final Report in the Preliminary Design Report and the study results and operating conditions shall be used in the detailed design of the selected remedy. EPA approval of the Treatability Study Final Report shall mean only that EPA finds the study methodology acceptable. EPA approval of the study, results, or the Treatability Study Final Report shall not imply or be construed to mean that EPA is warranting the performance of this or any vendor or technology. Should the treatability study not be approved by EPA, additional treatability studies may be required to fully evaluate the available treatment systems.

C. Intermediate Design (If Applicable)

As discussed previously, the nature of the design may be such that the Intermediate Design is not necessary and that the design may proceed from the Preliminary to the Prefinal Design. It is anticipated that the Intermediate Design will only be needed in those cases whereby the traditional detailed plans and specifications and a complex design warrants an intermediate deliverable. If used, the Intermediate Design shall begin with completion of the Preliminary Design and end with the completion of approximately 60 percent of the design effort. Settling Defendants shall submit to EPA the Intermediate Design submittal which shall consist of a continuation and expansion of the Preliminary Design submittal as may be modified by any value engineering recommendations adopted by Settling Defendants. Any value engineering recommendations adopted by Settling Defendants shall be summarized in a report submitted with the Intermediate Design. EPA comments on the Intermediate Design and a memorandum indicating how EPA's comments were incorporated shall be included in the Prefinal/Final Design. The Intermediate Design shall be submitted in accordance with the approved design management schedule and shall consist of the following:

1. Draft Design Analyses

The evaluations conducted to select the design approach shall be described. Design calculations shall be included.

2. Draft Plans and Specifications

Draft construction drawings and specifications for all components of the Remedial Action shall be prepared and presented. All plans and specifications shall conform with the Construction Specifications Institute Master Format.

3. Draft Construction Schedule

Settling Defendants shall develop a Draft Construction Schedule for construction and implementation of the remedial action which identifies

timing for initiation and completion of all critical path tasks. Settling Defendants shall specifically identify dates for completion of the project and major milestones.

D. Prefinal/Final Design

Settling Defendants shall submit the Prefinal Design when the design work is approximately 90 percent complete in accordance with the approved design management schedule. (Except in the case whereby the Intermediate Design is omitted, the Prefinal Design may represent less than the 90% design) Settling Defendants shall address comments generated from the Preliminary and Intermediate Design Review and clearly show any modification of the design as a result of incorporation of the comments. Essentially, the Prefinal Design shall function as the draft version of the Final Design. After EPA review and comment on the Prefinal Design, the Final Design shall be submitted along with a memorandum indicating how the Prefinal Design comments were incorporated into the Final Design. All Final Design documents shall be certified by a Professional Engineer registered in the State of Florida. EPA written approval of the Final Design is required before initiating the RA, unless specifically authorized by EPA. The following items shall be submitted with or as part of the Prefinal/Final Design:

1. Complete Design Analyses

The selected design shall be presented along with an analysis supporting the design approach. Design calculations shall be included.

2. Final Plans and Specifications

A complete set of construction drawings and specifications shall be submitted which describe the selected design.

3. Final Construction Schedule

Settling Defendants shall submit a final construction schedule to EPA for approval.

4. Construction Cost Estimate

An estimate within +15 percent to -10 percent of actual construction costs shall be submitted.

TASK III - REMEDIAL ACTION

Remedial Action shall be performed by Settling Defendants to implement the response actions selected in the ROD.

A. Remedial Action Planning

Concurrent with the submittal of the Prefinal/Final Design, Settling Defendants shall submit a draft Remedial Action (RA) Work Plan, Project Delivery Strategy, a Construction Management Plan, a Construction Quality Assurance Plan, and a Construction Health and Safety Plan/Contingency Plan. The RA Work Plan, Project Delivery Strategy, Construction Management Plan, and Construction Quality Assurance Plan must be reviewed and approved by EPA and the Construction Health and Safety Plan/Contingency Plan reviewed by EPA prior to the initiation of the Remedial Action.

Upon approval of the Final Design and the RA Work Plan, Settling Defendants shall implement the RA Work Plan in accordance with the construction management schedule. Significant field changes to the RA as set forth in the RA Work Plan and Final Design shall not be undertaken without the approval of EPA. The RA shall be documented in enough detail to produce as-built construction drawings after the RA is complete. Deliverables shall be submitted to EPA for review and approval in accordance with Section XII of the Consent Decree. Review and/or approval of submittals does not imply acceptance of later submittals that have not been reviewed, nor that the remedy, when constructed, will meet Performance Standards.

1. RA Work Plan

A Work Plan which provides a detailed plan of action for completing the RA activities shall be submitted to EPA for review and approval. The objective of this work plan is to provide for the safe and efficient completion of the RA. The Work Plan shall be developed in conjunction with the Project Delivery Strategy, Construction Management Plan, the Construction Quality Assurance Plan, and the Construction Health and Safety Plan/Contingency Plan, although each plan may be delivered under separate cover. The Work Plan shall include a comprehensive description of the work to be performed and the Final Construction schedule for completion of each major activity and submission of each deliverable.

Specifically, the RA Work Plan shall present the following:

- a. A detailed description of the tasks to be performed and a description of the work products to be submitted to EPA. This includes the deliverables set forth in the remainder of Task III.
- b. A schedule for completion of each required activity and submission of each deliverable required by this Consent Decree, including those in this SOW.

- c. A project management plan, including provision for monthly reports to EPA and meetings and presentations to EPA at the conclusion of each major phase of the RA. EPA's Project Coordinator and the Settling Defendants' Project Coordinator will meet, at a minimum, on a quarterly basis, unless EPA determines that such meeting is unnecessary.
- d. A description of the community relations support activities to be conducted during the RA. At EPA's request, Settling Defendants shall assist EPA in preparing and disseminating information to the public regarding the RA work to be performed.

2. Project Delivery Strategy

Settling Defendants shall submit a document to EPA for review and approval describing the strategy for delivering the project. This document shall address the management approach for implementing the Remedial Action, including procurement methods and contracting strategy, phasing alternatives, and contractor and equipment availability concerns. If the construction of the remedy is to be accomplished by Settling Defendants' "in-house" resources, the document shall identify those resources.

3. Construction Management Plan

A Construction Management Plan shall be developed to indicate how the construction activities are to be implemented and coordinated with EPA during the RA. Settling Defendants shall designate a person to be a Remedial Action Coordinator and its representative on-site during the Remedial Action, and identify this person in the Plan. This Plan shall also identify other key project management personnel and lines of authority, and provide descriptions of the duties of the key personnel along with an organizational chart. In addition, a plan for the administration of construction changes and EPA review and approval of those changes shall be included.

4. Construction Quality Assurance Plan

Settling Defendants shall develop and implement a Construction Quality Assurance Program to ensure, with a reasonable degree of certainty, that the completed Remedial Action meets or exceeds all design criteria, plans and specifications, and Performance Standards. The Construction Quality Assurance Plan shall incorporate relevant provisions of the Performance Standards Verification Plan (see Task V). At a minimum, the Construction

Quality Assurance Plan shall include the following elements:

- a. A description of the quality control organization, including a chart showing lines of authority, identification of the members of the Independent Quality Assurance Team (IQAT), and acknowledgment that the IQAT will implement the control system for all aspects of the work specified and shall report to the project coordinator and EPA. The IQAT members shall be representatives from testing and inspection organizations and/or the Supervising Contractor and shall be responsible for the QA/QC of the Remedial Action. The members of the IQAT shall have a good professional and ethical reputation, previous experience in the type of QA/QC activities to be implemented, and demonstrated capability to perform the required activities. They shall also be independent of the construction contractor.
- b. The name, qualifications, duties, authorities, and responsibilities of each person assigned a QC function.
- c. Description of the observations and control testing that will be used to monitor the construction and/or installation of the components of the Remedial Action. This includes information which certifies that personnel and laboratories performing the tests are qualified and the equipment and procedures to be used comply with applicable standards. Any laboratories to be used shall be specified. Acceptance/Rejection criteria and plans for implementing corrective measures shall be addressed.
- d. A schedule for managing submittals, testing, inspections, and any other QA function (including those of contractors, subcontractors, fabricators, suppliers, purchasing agents, etc.) that involve assuring quality workmanship, verifying compliance with the plans and specifications, or any other QC objectives. Inspections shall verify compliance with all environmental requirements and include, but not be limited to, air quality and emissions monitoring records and waste disposal records, etc.
- e. Reporting procedures and reporting format for QA/QC activities including such items as daily summary reports, schedule of data submissions, inspection data sheets, problem identification and corrective measures reports, evaluation reports, acceptance reports, and final documentation.

- f. A list of definable features of the work to be performed. A definable feature of work is a task which is separate and distinct from other tasks and has separate control requirements.

5. Construction Health and Safety Plan/Contingency Plan

Settling Defendants shall prepare a Construction Health and Safety Plan/Contingency Plan in conformance with Settling Defendants' health and safety program, and in compliance with OSHA regulations and protocols. The Construction Health and Safety Plan shall include a health and safety risk analysis, a description of monitoring and personal protective equipment, medical monitoring, and site control. EPA will not approve Settling Defendants' Construction Health and Safety Plan/Contingency Plan, but rather EPA will review it to ensure that all necessary elements are included, and that the plan provides for the protection of human health and the environment. This plan shall include a Contingency Plan and incorporate Air Monitoring and Spill Control and Countermeasures Plans if determined by EPA to be applicable for the Site. The Contingency Plan is to be written for the onsite construction workers and the local affected population. It shall include the following items:

- a. Name of person who will be responsible in the event of an emergency incident.
- b. Plan for initial site safety indoctrination and training for all employees, name of the person who will give the training and the topics to be covered.
- c. Plan and date for meeting with the local community, including local, state and federal agencies involved in the cleanup, as well as the local emergency squads and the local hospitals.
- d. A list of the first aid and medical facilities including, location of first aid kits, names of personnel trained in first aid, a clearly marked map with the route to the nearest medical facility, all necessary emergency phone numbers conspicuously posted at the job site (i.e., fire, rescue, local hazardous material teams, National Emergency Response Team, etc.)
- e. Plans for protection of public and visitors to the job site.
- f. Air Monitoring Plan which incorporates the following requirements:

1) Air monitoring shall be conducted both on Site and at the perimeter of the Site. The chemical constituents that were identified during the Risk Assessment shall serve as a basis of the sampling for and measurement of pollutants in the atmosphere. Settling Defendants shall clearly identify these compounds and the detection and notification levels required in Paragraph 4 below. Air monitoring shall include personnel monitoring, on-site area monitoring, and perimeter monitoring.

2) Personnel Monitoring shall be conducted according to OSHA and NIOSH regulations and guidance.

3) Onsite Area Monitoring shall consist of continuous real-time monitoring performed immediately adjacent to any waste excavation areas, treatment areas, and any other applicable areas when work is occurring. Measurements shall be taken in the breathing zones of personnel and immediately upwind and downwind of the work areas. Equipment shall include the following, at a minimum: organic vapor meter, explosion meter, particulate monitoring equipment, and onsite windsock.

4) Perimeter Monitoring shall consist of monitoring airborne contaminants at the perimeter of the Site to determine whether harmful concentrations of toxic constituents are migrating off-site. EPA approved methods shall be used for sampling and analysis of air at the Site perimeter. The results of the perimeter air monitoring and the on-site meteorological station shall be used to assess the potential for off-site exposure to toxic materials. The air monitoring program shall include provisions for notifying nearby residents, local, state and federal agencies in the event that unacceptable concentrations of airborne toxic constituents are migrating off-site. Settling Defendants shall report detection of unacceptable levels of airborne contaminants to EPA in accordance with Section XI of the Consent Decree.

g. A Spill Control and Countermeasures Plan which shall include the following:

1) Contingency measures for potential spills and discharges from materials handling and/or transportation.

2) A description of the methods, means, and facilities required to prevent contamination of soil, water, atmosphere, and

uncontaminated structures, equipment, or material by spills or discharges.

3) A description of the equipment and personnel necessary to perform emergency measures required to contain any spillage and to remove spilled materials and soils or liquids that become contaminated due to spillage. This collected spill material must be properly disposed of.

4) A description of the equipment and personnel to perform decontamination measures that may be required for previously uncontaminated structures, equipment, or material.

B. Preconstruction Conference

A Preconstruction Conference shall be held after selection of the construction contractor but before initiation of construction. This conference shall include Settling Defendants and federal, state and local government agencies and shall:

1. Define the roles, relationships, and responsibilities of all parties;
2. Review methods for documenting and reporting inspection data;
3. Review methods for distributing and storing documents and reports;
4. Review work area security and safety protocols;
5. Review the Construction Schedule;
6. Conduct a site reconnaissance to verify that the design criteria and the plans specifications are understood and to review material and equipment storage locations.

The Preconstruction Conference must be documented, including names of people in attendance, issues discussed, clarifications made, special instructions issued, etc.

C. Prefinal Construction Inspection

Upon preliminary project completion Settling Defendants shall notify EPA for the purpose of conducting a Prefinal Construction Inspection. Participants should include the Project Coordinators, Supervising Contractor, Construction Contractor, Natural Resource Trustees and other federal, state, and local agencies with a jurisdictional interest. The Prefinal Inspection shall consist of a walk-through inspection of the entire project site. The objective of the inspection is to determine whether the construction is complete and consistent with the Consent Decree. Any outstanding construction items discovered during

the inspection shall be identified and noted on a punch list. Additionally, treatment equipment shall be operationally tested by Settling Defendants. Settling Defendants shall certify that the equipment has performed to effectively meet the purpose and intent of the specifications. Retesting shall be completed where deficiencies are revealed. A Prefinal Construction Inspection Report shall be submitted by Settling Defendants which outlines the outstanding construction items, actions required to resolve the items, completion date for the items, and an anticipated date for the Final Inspection.

D. Final Construction Inspection

Upon completion of all outstanding construction items, Settling Defendants shall notify EPA for the purpose of conducting a Final Construction Inspection. The Final Construction Inspection shall consist of a walk-through inspection of the entire project site.

The Prefinal Construction Inspection Report shall be used as a check list with the Final Construction Inspection focusing on the outstanding construction items identified in the Prefinal Construction Inspection. All tests that were originally unsatisfactory shall be conducted again. Confirmation shall be made during the Final Construction Inspection that all outstanding items have been resolved. Any outstanding construction items discovered during the inspection still requiring correction shall be identified and noted on a punch list.

If any items are still unresolved, the inspection shall be considered to be a Prefinal Construction Inspection requiring another Prefinal Construction Inspection Report and subsequent Final Construction Inspection.

E. Final Construction Report

Within thirty (30) days following the conclusion of the Final Construction Inspection, Settling Defendants shall submit a Final Construction Report. EPA will review the draft report and will provide comments to Settling Defendants. The Final Construction Report shall include the following:

1. Brief description of how outstanding items noted in the Prefinal Inspection were resolved;
2. Explanation of modifications made during the RA to the original RD and RA Work Plans and why these changes were made;
3. As-built drawings.
4. Synopsis of the construction work defined in the SOW and certification that the construction work has been completed.

F. Remedial Action Report

As provided in Section XV of the Consent Decree, within 90 days after Settling Defendants concludes that the Remedial Action has been fully performed and the Performance Standards have been attained, Settling Defendants shall so certify to the United States and shall schedule and conduct a pre-certification inspection to be attended by EPA and Settling Defendants. If after the pre-certification inspection Settling Defendants still believes that the Remedial Action has been fully performed and the Performance Standards have been attained, Settling Defendants shall submit a Remedial Action (RA) Report to EPA in accordance with Section XV of the Consent Decree. The RA Report shall include the following:

1. A copy of the Final Construction Report;
2. Synopsis of the work defined in this SOW and a demonstration in accordance with the Performance Standards Verification Plan that Performance Standards have been achieved;
3. Certification that the Remedial Action has been completed in full satisfaction of the requirements of the Consent Decree, and;
4. A description of how Settling Defendants will Implement any remaining part of the EPA approved Operation and Maintain Plan.

After EPA review, Settling Defendants shall address any comments and submit a revised report. As provided in Section XV of the Consent Decree, the Remedial Action shall not be considered complete until EPA approves the RA Report.

TASK IV - OPERATION AND MAINTENANCE

Operation and Maintenance (O&M) shall be performed in accordance with the approved Operation and Maintenance Plan. O&M submittals should take into account the complexity of the remedial action. Both the O&M Plan and O&M Manual may be submitted together. For remedial actions involving no treatment (i.e., containment), submittal of these documents should be requested at the 90 percent design stage. For remedial actions involving treatment, submittal should occur at approximately the 30 percent construction stage.

A. Operation and Maintenance Plan

At the 90 percent (Prefinal) design stage/30 percent construction stage, Settling Defendants shall submit an Operation and Maintenance Plan for review. The Operation and Maintenance Plan must be reviewed and approved by EPA prior to initiation of Operation and Maintenance activities. If necessary, the Operation and Maintenance Plan shall be modified to incorporate any design modifications implemented during the Remedial Action.

Upon approval of the Operation and Maintenance Plan, Settling Defendants shall

implement the Operation and Maintenance Plan in accordance with the schedule contained therein. This plan shall describe start-up procedures, operation, troubleshooting, training, and evaluation activities that shall be carried out by Settling Defendants. The plan shall address the following elements:

1. Equipment start-up and operator training;
 - a. Technical specifications governing treatment systems;
 - b. Requirements for providing appropriate service visits by experienced personnel to supervise the installation, adjustment, start-up and operation of the systems; and,
 - c. Schedule for training personnel regarding appropriate operational procedures once start-up has been successfully completed.
2. Description of normal operation and maintenance;
 - a. Description of tasks required for system operation;
 - b. Description of tasks required for system maintenance;
 - c. Description of prescribed treatment or operating conditions; and
 - d. Schedule showing the required frequency for each O&M task.
3. Description of potential operating problems;
 - a. Description and analysis of potential operating problems;
 - b. Sources of information regarding problems; and
 - c. Common remedies or anticipated corrective actions.
4. Description of routine monitoring and laboratory testing;
 - a. Description of monitoring tasks;
 - b. Description of required laboratory tests and their interpretation;
 - c. Required QA/QC; and
 - d. Schedule of monitoring frequency and date, if appropriate, when monitoring may cease.
5. Description of alternate O&M;
 - a. Should system fail, alternate procedures to prevent undue hazard; and;
 - b. Analysis of vulnerability and additional resource requirements should a failure occur.
6. Safety Plan;
 - a. Description of precautions to be taken and required health and safety equipment, etc., for site personnel protection, and
 - b. Safety tasks required in the event of systems failure.
7. Description of equipment;

- a. Equipment identification;
- b. Installation of monitoring components;
- c. Maintenance of site equipment; and
- d. Replacement schedule for equipment and installation components.

8. Records and reporting;

- a. Daily operating logs;
- b. Laboratory records;
- c. Records of operating cost;
- d. Mechanism for reporting emergencies;
- e. Personnel and Maintenance Records; and
- f. Monthly reports to State/Federal Agencies.

B. Operation and Maintenance Manual

At the 90 percent (Prefinal) design stage/30 percent construction stage, Settling Defendants shall submit an O&M manual for review. This manual shall include all necessary O&M information for the operating personnel. The O&M manual must be reviewed and approved by EPA prior to initiation of Operation and Maintenance activities.

TASK V - PERFORMANCE MONITORING

Performance monitoring shall be conducted to ensure that all Performance Standards are met.

A. Performance Standards Verification Plan

The purpose of the Performance Standards Verification Plan is to provide a mechanism to ensure that both short-term and long-term Performance Standards for the Remedial Action are met. Guidance used in developing the Sampling and Analysis Plan during the Remedial Design phase shall be used. Settling Defendants shall submit a Performance Standards Verification Plan with the Intermediate Design. Once approved, Settling Defendants shall implement the Performance Standards Verification Plan on the approved schedule. The Performance Standards Verification Plan shall include:

1. The Performance Standards Verification Field Sampling and Analysis Plan that provides guidance for all fieldwork by defining in detail the sampling and data gathering methods to be used. The Performance Standards Verification Field Sampling and Analysis Plan shall be written so that a field sampling team unfamiliar with the Site would be able to gather the samples and field information required.
2. The Performance Standards Verification Quality Assurance/Quality Control plan that describes the quality assurance and quality control protocols which

will be followed in demonstrating compliance with Performance standards.

3. Specification of those tasks to be performed by Settling Defendants to demonstrate compliance with the Performance Standards and a schedule for the performance of these tasks.

REFERENCES

The following list, although not comprehensive, comprises many of the regulations and guidance documents that apply to the RD/RA process. Settling Defendants shall review these guidance and shall use the information provided therein in performing the RD/RA and preparing all deliverables under this SOW.

1. "National Oil and Hazardous Substances Pollution Contingency Plan, Final Rule", Federal Register 40 CFR Part 300, March 8, 1990.
2. "Superfund Remedial Design and Remedial Action Guidance," U.S. EPA, Office of Emergency and Remedial Response, June 1986, OSWER Directive No. 9355.0-4A.
3. "Interim Final Guidance on Oversight of Remedial Designs and Remedial Actions Performed by Potentially Responsible Parties," U.S. EPA, Office of Emergency and Remedial Response, February 14, 1990, OSWER Directive No. 9355.5-01.
4. "Guidance for Conducting Remedial Investigations and Feasibility Studies Under CERCLA, Interim Final," U.S. EPA, Office of Emergency and Remedial Response, October 1988, OSWER Directive No. 355.3-01.
5. "A Compendium of Superfund Field Operations Methods," Two Volumes, U.S. EPA, Office of Emergency and Remedial Response, EPA/540/P-87/001a, August 1987, OSWER Directive No. 9355.0-14.
6. "EPA NEIC Policies and Procedures Manual," EPA-330/9-78-001-R, May 1978, revised November 1984.
7. "Data Quality Objectives for Remedial Response Activities," U.S. EPA, Office of Emergency and Remedial Response and Office of Waste Programs Enforcement, EPA/540/G-87/003, March 1987, OSWER Directive No. 9335.0-7B.
8. "Guidelines and Specifications for Preparing Quality Assurance Project Plans," U.S. EPA, Office of Research and Development, Cincinnati, OH, QAMS-004/80, December 29, 1980.
9. "Interim Guidelines and Specifications for Preparing Quality Assurance Project Plans," U.S. EPA, Office of Emergency and Remedial Response, QAMS-005/80, December 1980.
10. "Users Guide to the EPA Contract Laboratory Program," U.S. EPA, Sample Management Office, August 1982.

11. "Environmental Compliance Branch Standard Operating Procedures and Quality Assurance Manual," U.S. EPA Region IV, Environmental Services Division, February 1, 1991, (revised periodically).
12. "USEPA Contract Laboratory Program Statement of Work for Organics Analysis," U.S. EPA, Office of Emergency and Remedial Response, February 1988.
13. "USEPA Contract Laboratory Program Statement of Work for Inorganics Analysis," U.S. EPA, Office of Emergency and Remedial Response, July 1988.
14. "Quality in the Constructed Project: A Guideline for Owners, Designers, and Constructors, Volume 1, Preliminary Edition for Trial Use and Comment," American Society of Civil Engineers, May 1988.
15. "Interim Guidance on Compliance with Applicable or Relevant and Appropriate Requirements," U.S. EPA, Office of Emergency and Remedial Response, July 9, 1987, OSWER Directive No. 9234.0-05.
16. "CERCLA Compliance with Other Laws Manual," Two Volumes, U.S. EPA, Office of Emergency and Remedial Response, August 1988 (Draft), OSWER Directive No. 9234.1-01 and -02.
17. "Guidance on Remedial Actions for Contaminated Ground Water at Superfund Sites," U.S. EPA, Office of Emergency and Remedial Response, (Draft), OSWER Directive No. 9283.1-2.
18. "Guide for Conducting Treatability Studies Under CERCLA," U.S. EPA, Office of Emergency and Remedial Response, Pre-publication Version.
19. "Health and Safety Requirements of Employees Employed in Field Activities," U.S. EPA, Office of Emergency and Remedial Response, July 12, 1981, EPA Order No. 1440.2.
20. "Standard Operating Safety Guides," U.S. EPA, Office of Emergency and Remedial Response, November 1984.
21. "Standards for General Industry," 29 CFR Part 1910, Occupational Health and Safety Administration.
22. "Standards for the Construction Industry," 29 CFR 1926, Occupational Health and Safety Administration.
23. "NIOSH Manual of Analytical Methods," 2d edition. Volumes I - VII, or the 3rd

- edition, Volumes I and II, National Institute of Occupational Safety and Health.
24. "Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities," National Institute of Occupational Safety and Health/Occupational Health and Safety Administration/United States Coast Guard/ Environmental Protection Agency, October 1985.
 25. "TLVs - Threshold Limit Values and Biological Exposure Indices for 1987 - 88," American Conference of Governmental Industrial Hygienists.
 26. "American National Standards Practices for Respiratory Protection," American National Standards Institute Z88.2-1980, March 11, 1981.
 27. "Quality in the Constructed Project - Volume 1," American Society of Civil Engineers, 1990.

[Other guidance referenced in CD that are not listed above (i.e. QA, Sample and Data Analysis, etc.)]

SUMMARY OF THE MAJOR DELIVERABLES FOR THE
REMEDIAL DESIGN AND REMEDIAL ACTION AT
THE FLORIDA PETROLEUM REPROCESSORS SUPERFUND SITE
DAVIE, FLORIDA

<u>DELIVERABLE</u>	<u>EPA RESPONSE</u>
<u>TASK I PROJECT PLANNING</u>	
No deliverables planned as part of Task I.	
<u>TASK II REMEDIAL DESIGN</u>	
RD Work Plan	Review and Approve
Sampling and Analysis Plan	Review and Approve
Health and Safety Plan	Review and Comment
[Include Treatability Study Deliverables only if applicable.	
Treatability Study Work Plan	Review and Approve
Treatability Study Sampling and Analysis Plan	Review and Approve
Treatability Study Health and Safety Plan]	Review and Comment
<u>Preliminary Design</u>	
Results of Data Acquisition Activities	Review and Approve
Design Criteria Report	Review and Approve
Preliminary Plans and Specifications	Review and Approve
Plan for Satisfying Permitting Requirements	Review and Approve

[Treatability Study Final
Report]

Review and Approve

Intermediate Design

Draft Design Analyses

Review and Comment

Draft Plans and
Specifications

Review and Comment

Draft Construction Schedule

Review and Comment

Prefinal/Final Design

Complete Design Analyses

Review and Approve

Final Plans and
Specifications

Review and Approve

Final Construction Schedule

Review and Approve

Construction Cost Estimate

Review and Comment

TASK III REMEDIAL ACTION

RA Work Plan

Review and Approve

Project Delivery Strategy

Review and Approve

Construction Management Plan

Review and Approve

Construction Quality Assurance
Plan

Review and Approve

Construction Health and Safety
Plan/Contingency Plan

Review and Comment

Prefinal Construction
Inspection Report

Review and Approve

Final Construction Report

Review and Approve

Remedial Action Report

Review and Approve

TASK IV OPERATION AND MAINTENANCE

Operation and Maintenance Plan

Review and Approve

Operation and Maintenance
Manual

Review and Approve

TASK V Monitoring

Performance Standards Verification
Plan

Review and Approve

NOTE: Unless otherwise specified by the EPA Remedial Project Manager, 20 copies of each deliverable shall be submitted by the Settling Defendants. One copy shall be unbound, the remainder shall be bound.

APPENDIX C

APPENDIX D

Appendix D - Settling Defendants

United States Sugar Corporation

Becker Groves, Inc.

Bengal Motors, Inc.

Bill Branch Chevrolet, Inc.

Bradford Marine, Inc.

Brevard County Board of County Commissioners

Bridgestone/Firestone North American Tire, LLC

Capeletti Brothers Enterprises, Inc.

Chevron Environmental Management Company

Clean Harbors Environmental Services, Inc.

Cliff Berry, Inc.

Evans Properties, Inc.

Exxon Mobil Corporation

Freightliner Trucks of South Florida, Inc.

Goodyear Tire & Rubber Company

Harbor Branch Oceanographic Institution, Inc.

Hardrives of Delray, Inc.

Hollywood Lincoln Mercury, Inc.

City of Homestead

Hydro Aluminum Rockledge, LLC

Jim Powell Motors, Inc.J.W. Cheatham, Inc.

Kirchman Oil Corporation

L.P. Evans Motors WPB, Inc.

Merrill-Stevens Dry Dock Company

Miami Dade College

Miami-Dade County

Montenay Power Corporation

Morse Operations, Inc.

New Hope Sugar Company

Okeelanta Corporation

Palm Beach County Board of County Commissioners

Pneumo Abex Corporation

Port Everglades, Department of Broward County

Rybovich Company, LLLP, f/k/a Spencer Boat Yard

Ryder Truck Rental, Inc.

School Board of Broward County

Sears, Roebuck, & Company

Shell Oil Company

Southeast Interstate Services, Inc.

Sunrise Ford Company

Sysco Food Services of South Florida, Inc.

Tarmac America LLC

Thyssenkrupp Elevator Corporation f/k/a Miami Elevator Company

Tire Kingdom, Inc.

Tropical Shipping and Construction Co., Ltd.

Unocal Corporation

Vulcan Materials Company

Walpole, Inc.

Warren Wooten Ford, Inc.

APPENDIX E

Appendix E - Settling Federal Agencies

United States Coast Guard

United States Defense Logistics Agency

United States Navy

United States Postal Service

APPENDIX F



United States
Environmental Protection
Agency

EXPLANATION OF SIGNIFICANT DIFFERENCES FACT SHEET

FLORIDA PETROLEUM REPROCESSORS SUPERFUND SITE

Davie, Broward County, Florida

September 2004

Summary of Explanation of Significant Differences

Due to changes in the City of Fort Lauderdale's long-term use plans for the Peele-Dixie Wellfield ("the Wellfield"), EPA will gather additional groundwater data to further evaluate and determine the need to implement the entire remedy outlined in the March 2001 Record of Decision for the Florida Petroleum Reprocessors (FPR) Superfund site.

Current City plans call for the relocation of most of the drinking water pumping wells further northward, beyond the influence of the FPR site. In addition, the majority of the mass of contaminants at the FPR Site that once threatened the groundwater and Peele-Dixie Wellfield have been removed or treated in place. Groundwater contaminant levels in the wellfield have also dropped to safe levels below State and Federal Standards.

As a result, EPA plans initially to monitor the groundwater and the effects that pumping of groundwater from the northern wells may have on the FPR groundwater contaminant plume.

If the groundwater data demonstrate that Site related VOC contamination will likely impact the Wellfield at levels exceeding MCLs and that there is a threat to human health and the environment, the Wellfield remedy will be implemented pursuant to the ROD, as described herein.

Introduction

This Explanation of Significant Differences (ESD) for the Florida Petroleum Reprocessors (FPR) Site in Davie, Broward County, Florida, has been prepared by the Region 4 Office of the United States Environmental Protection Agency (EPA). The purpose of this ESD is to gather additional Site data to further evaluate and determine the need to implement the entire remedy selected in the March 1, 2001 Record of Decision (ROD) for the Site. Given the extensive current and planned future changes in the City of Fort Lauderdale's use and location of the drinking water production wells in the Peele-Dixie Wellfield ("the Wellfield"), the significant amount of cleanup work completed at the FPR Site to date, and the substantial reduction in groundwater contamination at the FPR Site, EPA has decided to gather additional groundwater data to verify the need for the construction and operation of an active treatment system for the "Wellfield Protection" component of the ROD (See ROD pages 90-92). Such data will either confirm the need for an active groundwater treatment system or demonstrate that the monitored natural attenuation component of the ROD can address the Wellfield portion of the Site. The EPA expects that a settlement in this matter will be reached in a matter of weeks. This is the first ESD that has been written for this Site.

This ESD is being issued as part of the public participation responsibilities under Section 117(c) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA), and Section 300.435(c)(2)(i) of the National Contingency Plan (NCP), 40 C.F.R. Part 300.

The Administrative Record contains documents used as the basis for the remedy selection at the Site, including the ROD and Responsiveness Summary. This ESD will become part of the Administrative Record in accordance with Section 300.825(a)(2) of the National Contingency Plan. The Administrative Record documents are available for public review and copying in the FPR Site information repository.

New Site Information Prompting ESD

During January and February 2002, the City of Fort Lauderdale conveyed to EPA its intention to abandon the use of the existing network of groundwater extraction wells used to supply drinking water in the southern portion of the Peele-Dixie Wellfield and construct new wells roughly one mile to the northwest, in the corner of the Wellfield's current location. Modeling work conducted for the City in December 2001 demonstrated that it is no longer practical to pump groundwater from this southern area at the historical rate of seven million gallons per day due to significant water quality problems that would be caused by salt water intrusion into the Wellfield.¹ This modeling work indicated that pumping in the southern portion of the Wellfield at just two to five million gallons per day would cause serious salt water intrusion problems that would substantially limit the City's ability to withdraw additional volumes of water from other portions of the Wellfield to meet its daily drinking water needs. Pumping from production wells located predominantly in the northwest area of the Wellfield, however, would effectively eliminate the severe salt water intrusion impacts that would render the water undrinkable. Thus, the groundwater in the southern portion of the Peele-Dixie Wellfield, potentially threatened by salt water intrusion and the contamination existing north of the North New River Canal, will no longer be used as a source of drinking

¹ These changes are also described in a variety of public documents, including correspondence and memoranda from the City's consultants dated December 2001 through March 2002 and the City's February 2001 Water and Wastewater Master Plan, which are included in the Administrative Record for the Site.

water by the City of Fort Lauderdale. The EPA believes that existing Site-related volatile organic contamination (VOC) above maximum contaminant levels (MCLs) will not likely migrate northward to impact the new location of the Peele-Dixie Wellfield production wells, since groundwater contamination at the Site has been significantly reduced² and the cone of influence for the Wellfield will be located sufficiently north of the contamination.

Due to the planned discontinuation of the use of the existing production wells in the southern portion of the Peele-Dixie Wellfield, the significant reduction in groundwater contamination, and the minimization of the threat of Site-related VOC contamination above MCLs impacting the City's drinking water supply, there exists no current basis under CERCLA to implement the air stripper system pursuant to the Wellfield Protection component of the ROD at this time. Thus, groundwater data will be collected to determine if there is a need to construct an active groundwater treatment system or to implement monitored natural attenuation as the Wellfield remedy. If the groundwater data demonstrate that Site related VOC contamination will likely impact the Wellfield at levels exceeding MCLs and that there is a threat to human health or the environment, a Wellfield remedy will be implemented pursuant to the terms of the ROD and the Remedial Design/Remedial Action (RD/RA) Consent Decree that may include an active treatment system. EPA anticipates that this groundwater sampling work will be conducted for two to five years to gather data on the location and concentrations of Site related VOC contaminants, both prior to and after the new Wellfield begins full scale operation.

Pending the collection and analysis of the Wellfield groundwater data, the Wellfield portion of the Site will be effectively addressed through monitored natural attenuation. This use of monitored natural attenuation at the Site is identical to option "GW3" contained in the June 2000 Site Proposed Plan. Option GW3, which received no adverse public comments, was

² An additional round of groundwater sampling for the Site was completed in the Spring of 2003 and demonstrated further decreases in VOC contamination in the northern portion of the Site plume.

determined to be protective of human health and the environment and was projected to reduce contamination levels below MCLs within roughly 10 years for groundwater in the vicinity of the current Wellfield location. The time frame to reduce the potential threat to the Wellfield, however, will likely be much shorter given the significant reduction in Site contamination and the relocation of the Wellfield. The activities discussed in this ESD are designed to achieve the health-based Site cleanup levels and remedy performance goals listed in the ROD, the Scope of Work, and the proposed Consent Decree, to ensure that the interests of the citizens of Broward County remain protected.

Site Background Information

The FPR Superfund Site³ is located at 3211 SW 50th Avenue in Davie, Florida. Waste oil recycling operations were conducted under various names from 1977 to 1992. The facility is approximately 1 acre in size and is located in an industrial park immediately east of the Florida Turnpike, and approximately 0.5 mile south of Interstate 595 (I-595). The surrounding area is comprised of a mixture of land uses, including light industrial and commercial.

The Site overlies the Biscayne aquifer. This water-table aquifer is defined by the EPA as a sole source drinking water aquifer and is further defined by the Florida Department of Environmental Protection (FDEP) as a primary drinking water source, vulnerable to contamination, warranting a high degree of protection.

³ Pursuant to CERCLA, a site is defined not only as where hazardous wastes have been deposited (i.e., the facility), but also where the contaminants have come to migrate. This distinction is important at this Site since, although the facility is only about 1 acre in size, contaminants have been detected in the groundwater in an area over 800 acres in size. For the purposes of the ROD and this ESD, the term "facility" will be used to describe the FPR property, and the term "Site" will include not only the facility, but the full extent of groundwater contamination the response action is intended to address.

The primary threat posed by this Site is to the Biscayne aquifer and the drinking water resource that it provides to local municipalities, private utilities, and the Florida Seminole Tribe. However, although private wells were historically used for drinking water, users of private wells have since been provided with municipal water.

In addition to the contaminants that have been released from the FPR facility, a second source of groundwater contamination appears to be located along the south side of I-595, and east of the Florida Turnpike. This second source is the location of a former junkyard known as Starta Sales & Salvage that operated at the location from 1965 until 1974. Approximately 1,600 junk cars had been stored on the property at one time, with some of the junk cars being dumped into a water-filled borrow pit along the west side of the property. Automobile salvage and service businesses continued to operate at this location until 1984. The property was subsequently acquired by the Florida Department of Transportation (FDOT) in 1984 in advance of the construction of I-595 at this location in the late 1980s.

Operations were conducted at the FPR facility under various names, including Barry's Waste Oil, Oil Conservationist, Inc. (OCI), FPR, and South Florida Fuels. The FPR facility collected waste oil (i.e., used motor oil, surplus fuels, marine oils and slops, hydraulic oils, aviation oils, and fuels) from local automotive, agricultural, and marine facilities. Incoming waste oils were generally filtered and graded according to water content, and stored on-Site in large bulk tanks. The waste oil was typically sold as fuel or purchased by other waste oil marketers. Current records indicate that more than 15 million gallons of waste oil were processed at this facility.

Although little is known about the actual waste handling practices at the Site, studies conducted by EPA show that former operations at the facility resulted in the contamination of surface and subsurface soils and groundwater by oil and grease, organic chemicals common to gasoline, and chlorinated compounds. The studies showed that contaminants were present at the Site in a concentrated form floating on top of the water table, as well as in a dispersed form mixed with the underlying groundwater. Some contaminants appear to have migrated downward from

the land surface to a depth of 200 feet into the aquifer.

On March 1, 2001, EPA signed the ROD for the Site. The ROD describes the Site contamination and the approved cleanup methods to be used. A public meeting and a 30-day public comment period were held prior to finalizing the ROD. EPA responded to all substantive public comments in a Responsiveness Summary at the end of the ROD. The selected remedy includes:

Selected Remedy

- * **Source Remediation:** The pumping and treating of groundwater at the FPR facility that exceeds the State's natural attenuation default criteria, (if necessary);
- * **Monitored Natural Attenuation:** Natural attenuation of the groundwater contaminants throughout the Site groundwater plume that exceed maximum contaminant levels (MCLs), along with long-term groundwater monitoring to ensure compliance with these levels;
- * **Wellfield Protection:** Groundwater contaminants above MCLs contained in the northern portion of the Site plume would be collected and treated by an air stripping system if migration of such contamination occurs once pumping of the southern portion of the Wellfield resumes at historical levels.

Although the VOC contamination in the Wellfield has not exceeded MCLs for the past couple years, use of the wells in the southern portion of the Wellfield at historical pumping rates was projected to cause the northern part of the contaminant plume, which contains a compound exceeding its MCL, to migrate northward within the Wellfield's "cone of influence" or groundwater source, thus potentially increasing certain VOC levels above MCLs within the Wellfield. This contamination posed a potential threat due to the City of Fort Lauderdale's position that it needed to resume pumping within the southern portion of the Wellfield at historical levels to meet

the City's drinking water needs. The proposed air stripping remedy would effectively treat any Site-related VOC contamination above MCLs that reached the Wellfield.

Response Actions To Date

In the spring of 1996, EPA's Emergency Response and Removal program conducted an assessment of the FPR facility. The abandoned facility contained 10 above-ground tanks and 24 drums in poor condition, which appeared to contain waste oil and wastewater. While the tanks and drums were within secondary containment areas, these structures had deteriorated. The contents of the tanks and drums were sampled, and the results indicated the presence of VOCs and other hazardous substances. EPA determined that an immediate response action was warranted to address the imminent threat posed by the tanks and drums and to stabilize the facility pending further evaluation. As a result of this action, all 10 tanks and an estimated 13,000 gallons of waste oil and 26,000 gallons of wastewater were removed from the Site. This work was conducted in 1997 pursuant to an Administrative Order on Consent (AOC) with U.S. Sugar Corporation, currently a member of the FPR potentially responsible party (PRP) Group.

EPA's contractor completed the field work for the remedial investigation (RI) for the FPR Site in April 1997 and issued a RI and feasibility study (FS) report in June 1998.

A second set of removal activities was conducted by the FPR PRPs in 1999 to address the highly contaminated soils ranging from ground surface to a depth of approximately 12 feet below ground surface. Contaminants removed included chlorinated VOCs and petroleum-related compounds. Approximately 6,000 tons of soil were removed for off-Site disposal. The excavated areas were filled in with clean soil.

A third set of removal activities was started by the FPR PRPs in November 2000 to address deep soil contamination and a zone of residual dense nonaqueous-phase liquid (DNAPL) in the northwestern portion of the facility, at a depth from 34 to 43 feet below ground surface. This material was

believed to represent a continual source of contamination to the Biscayne aquifer, the sole source of drinking water for Dade and Broward counties. An AOC and work plan are being implemented by the FPR PRPs to treat the residual DNAPL contamination using various chemical and biological materials.

Next Steps

The EPA hopes to finalize negotiations on a Remedial Design/Remedial Action Consent Decree with the FPR PRPs within the next few weeks. After that, the Consent Decree will be lodged with the Court and offered for public notice and comment for 30 days. If, after public notice and comment, the United States continues to believe the Consent Decree is fair, reasonable and consistent with CERCLA, it will ask the Court to sign and enter the Consent Decree. After the completion of the remedial design work, EPA will hold a community meeting to discuss the schedule for implementing the Site work.

For more information, please contact...

Brad Jackson, Remedial Project Manager

U.S. EPA Region 4
Sam Nunn Federal Building
61 Forsyth St., SW
Atlanta, GA 30303
(404) 562-8925
jackson.brad@epa.gov

Carl Terry, EPA Region 4 Press Office

U.S. EPA Region 4
Sam Nunn Federal Building
61 Forsyth St., SW
Atlanta, GA 30303
(404) 562-8325
terry.carl@epa.gov

LaTonya Spencer, Community Involvement Manager

U.S. EPA Region 4
Sam Nunn Federal Building
61 Forsyth St., SW
Atlanta, GA 30303
(404) 562-8463
spencer.latonya@epa.gov

Aaron Cohen, State Project Manager

Florida Department of
Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400
(850) 245-8962
aaron.cohen@dep.state.fl.us

Information Repositories

Broward County Main Library
100 South Andrews Avenue
Ft. Lauderdale, FL 33301
Hours: Mon-Thu (10am-9pm)
Fri-Sat (9am-5pm)
Sun (12:30pm-5:30pm)

U.S. EPA Region 4 Library
Sam Nunn Federal Building
Ninth Floor Reception Area
61 Forsyth St., SW
Atlanta, GA 30303
(214) 665-6424
Mon-Fri (8:30am - 4:30pm)



United States
Environmental Protection
Agency

Region 4
Sam Nunn Federal Building
61 Forsyth St. SW
Atlanta, GA 30303